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**From:** Laycock, Kelly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=EDF53496C8284A7D8153E0F312818DF1-LAYCOCK, KELLY]  
**Sent:** 7/23/2018 3:03:24 PM  
**To:** Chris DeScherer [cdescherer@selcsc.org]  
**Subject:** RE: Cainhoy

Chris,

I am still the 404 reg pm in SC. We submitted the email comments below regarding the proposed Cainhoy Plantation SAC 2016-756 project.

Kelly Laycock  
Wetlands Regulatory Section  
U.S. Environmental Protection Agency  
61 Forsyth St.  
Atlanta GA, 30303  
phone 404 562 9132

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**From:** Laycock, Kelly  
**Sent:** Thursday, May 3, 2018 12:43 PM  
**To:** 'Williams, Elizabeth G CIV USARMY CESAC (US)' <Elizabeth.G.Williams@usace.army.mil>; Mark Caldwell <mark\_caldwell@fws.gov>; Curtis Joyner <joynercm@dhec.sc.gov>; hightocw@dhec.sc.gov; Blair Williams <williabn@dhec.sc.gov>; Hughes, Travis G CIV USARMY CESAC (US) <Travis.G.Hughes@usace.army.mil>; Zulauf, Michelle R CIV USARMY CESAC (US) <Michelle.R.Zulauf@usace.army.mil>; Cynthia Cooksey - NOAA Federal <cynthia.cooksey@noaa.gov>; Pace Wilber <pace.wilber@noaa.gov>; Susan Davis <daviss@dnr.sc.gov>; rigginl@dnr.sc.gov; EJohnson@scdah.sc.gov; Thomas McCoy <thomas\_mccoy@fws.gov>; Paula Sisson <paula\_sisson@fws.gov>; April Punsalan <april\_punsalan@fws.gov>  
**Cc:** Able, Tony <Able.Tony@epa.gov>  
**Subject:** Cainhoy Plantation Interagency Site Visit SAC 2016-756

Elizabeth,

The EPA appreciates the multiple pre-app meetings the applicant has scheduled for this project as well as the site visit. While the impacts of the project are large, it appears the applicant has put some time into minimizing and avoiding impacts to Waters of the US, consulted with stakeholders, and made an effort to create an adequate compensatory mitigation plan. Based on the Site Visit of May 1 and review of the PN and supporting materials, we have the following Requests for Clarification:

- While we appreciate the applicant's effort to look at the entire life of the project and avoid piecemealing, they are asking for a 50yr permit which is unprecedented in length for the Charleston District USACE. We request information on how compliance, monitoring, modifications, etc. will be ensured for a permit of this length and a shorter length permit be considered. I have attached a Jacksonville USACE permit for a 30yr permit which may have some helpful language, particularly the Project Maintenance section on pg 4-5.
- The applicant has limited many of the impacts for the project to road crossings. One large exception is a 5-6ac wetland southwest of the proposed Point Hope Sanctuary. This wetland appears to be projected for impact for housing lots. During the site visit, it was mentioned that this build out is very conceptual and may take 40+ yrs, with some lots possibly never being developed. Pairing this information with the proximity to the planned

Sanctuary, it would seem this is a prime area for additional avoidance by expanding the Sanctuary boundary to include this wetland.

- Due to currently unknown plot boundaries, a majority of the planned on-site wetland preservation will not be placed under conservation easements but rather have deed restrictions. It's unclear how well this will protect the mitigation in perpetuity and the mechanism that will allow for 3<sup>rd</sup> party long term monitoring. Further, long term management is proposed to be accomplished through a 501 ( c ) that will be formed once a permit is issued. We request that qualifications of the management of this organization to be long term stewards as well as mechanisms for the assurance of long term funding be provided.
- Areas which may have docks in the future have been excluded from preservation in the current plan proposed. These docks could be a major source of cumulative impacts. Therefore we request a better explanation of the expected dock restrictions and allowances in order to have adequate information for a cumulative impact and significant degradation review.
- The goal of a majority of the wetland enhancement on-site is to have moist savannah habitat. In fact, much of the justification of the site's value is creating and maintaining this type of habitat for threatened species such as the flatwood salamander. This habitat must be maintained by fire and while fire is mentioned in the mitigation plan, there are no success criteria that would point to successfully creating/maintaining this habitat. We request information on how success of savannah restoration will be measured as well as how it will be ensured that burning will continue in perpetuity such as a spelled out long term management plan and estimation of long term funding required.

Thanks,  
Kelly Laycock  
Wetlands Regulatory Section  
U.S. Environmental Protection Agency  
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phone 404 562 9132

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phone 404 562 9132

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**From:** Chris DeScherer [mailto:[cdescherer@selcsc.org](mailto:cdescherer@selcsc.org)]  
**Sent:** Friday, July 20, 2018 2:17 PM  
**To:** Laycock, Kelly <[Laycock.Kelly@epa.gov](mailto:Laycock.Kelly@epa.gov)>  
**Subject:** Cainhoy

Kelly,

Are you still working on South Carolina issues? If so, do you know if EPA Region 4 submitted comments on the Cainhoy proposal? If so, could you send me a copy of the letter?

Thanks,

Chris

Christopher K. DeScherer  
Southern Environmental Law Center  
463 King Street, Suite B  
Charleston, SC 29403  
843-720-5270  
[cdescherer@selcsc.org](mailto:cdescherer@selcsc.org)  
[www.southernenvironment.org](http://www.southernenvironment.org)

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